

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

ELAINE L. CHAO, Secretary of Labor, United )  
States Department of Labor, )

Plaintiff, )

v. )

LOCAL 290, PLUMBERS, STEAMFITTERS, )  
PIPEFITTERS AND MARINE FITTERS OF THE )  
UNITED ASSOCIATION OF JOURNEYMEN )  
AND APPRENTICES OF THE PLUMBING AND )  
PIPEFITTING INDUSTRY OF UNITED STATES )  
AND CANADA, )

Defendant. )

Civil No. 06-1359-AC

ORDER

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JONES, Judge:

Magistrate Judge Donald C. Ashmanskas filed Findings and Recommendation (#69) on December 6, 2007, in the above entitled case. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). When either party objects to any portion of a magistrate judge's Findings and Recommendation, the district court must make a de novo determination of that portion of the magistrate judge's report. See 28 U.S.C. § 636(b)(1); McDonnell Douglas Corp. v. Commodore Business Machines, Inc., 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982).

Defendant has timely filed objections. I have, therefore, given de novo review of Magistrate Judge Ashmanskas's rulings.

I find no error. Accordingly, I ADOPT Magistrate Judge Ashmanskas's Findings and Recommendation (#69) dated December 5, 2007, in its entirety. Plaintiff's motion (#26) for summary judgment is granted. Accordingly, the defendant's motion (#28) for summary judgment

is denied. Plaintiff's request for a new election for the offices of President and Business Manager is granted.

IT IS SO ORDERED.

DATED this 1st day of April, 2008.

/s/ Robert E. Jones  
ROBERT E. JONES  
U.S. District Judge